

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5135 of 2022

Arising Out of PS. Case No.-563 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. SUNIL ANAND Son of Anil Kumar Gupta Resident of 64, Dhami Tola, Near Lohani Store , Gaya (Bihar) PIN 823001, Presently working at Canara HSBC Oriental Bank Comeerce (Insaurance), Boring Canal Road Flat No.508, JB mall , P.S.- Shivpuri, Dist.- Patna -800001
 2. Prem Prakash Arya @ Prem Arya Son of Rameshwar Prasad Resident of 438 Teachers Colony, P.S.- Ramchanderpur, Biharsharif, Dist.- Nalanda.(Bihar) PIN-803101, Presently working at HSBC Oriental Bank Comeerce (Insaurance), Boring Canal Road Flat No.508, JB mall , P.S.- Shivpuri, Dist.- Patna -800001

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalan Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Muzaffarpur Sadar P.S. Case no. 563 of 2021 instituted for the offence punishable under Sections 376, 313, 323, 506, 120(A) and 34 of the Indian Penal Code.

As per allegation in the FIR, on assurance of marriage with the victim girl, co-accused Azam Khan was in habit of establishing physical relationship with her as a result of which she became pregnant. When informant put pressure upon Azam



Khan for marriage, he deceitfully got her pregnancy aborted.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Specific allegation of sexual assault is against co-accused Azam Khan and not against the petitioner. He has been falsely implicated in this case.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Muzaffarpur Sadar P.S. Case no. 563 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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